

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: CHARLES A BUDZINA
Debtor(s)
CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant
vs.
CHARLES A BUDZINA
Respondent(s)

CHAPTER 13

CASE NO: 1-18-04574-HWV

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on May 30, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1. A Plan was filed on October 29, 2018.
2. A hearing was held and an Order was entered on March 7, 2019 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ James K. Jones, Esq.

Id: 39031

Attorney for Trustee

Charles J. DeHart, III

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive

Hummelstown, PA 17036

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CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CASE NO: 1-18-04574-HWV

NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg
Bankruptcy Courtroom, 3rd Floor
228 Walnut Street
Harrisburg, PA 17101

Date: June 26, 2019

Time: 09:35 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: May 30, 2019

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IN RE: CHARLES A BUDZINA

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CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE

CHAPTER 13

Movant

CHARLES A BUDZINA

CASE NO: 1-18-04574-HWV

Respondent(s)

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on May 30, 2019, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

CHAD J JULIUS ESQUIRE
LAW OFFICES OF LESLIE D JACOBS
8150 DERRY STREET
HARRISBURG, PA 17111-5212

Served electronically

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

Served electronically

CHARLES A BUDZINA
526 KINGSTON ROAD
HARRISBURG, PA 17112

Served by 1st Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: May 30, 2019

Respectfully,
Vickie Williams
for Charles J. DeHart, III, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
eMail: dehartstaff@pamd13trustee.com

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CHARLES J. DEHART, III	
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CHARLES A BUDZINA	CASE NO: 1-18-04574-HWV
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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.